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FILED

JUL 19 2021

CLERK U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DEPUTY CLERK

V.

JOSE JESUS TORRES GARCIA,

Case No. 1:21-MJ-00072 EPG

DEFENDANT'S RELEASE IS DELAYED UNTIL 7/19/2021 AT 7:00 AM, AT WHICH TIME DEFENDANT WILL BE RELEASED FROM THE FRESNO COUNTY JAIL TO A REPRESENTATIVE FROM THE FEDERAL DEFENDER'S OFFICE AND TRANSPORTED DIRECTLY TO THE TURNING POINT PROGRAM.

GARCIA, Jose Jesus Torres**Doc. No. 1:21-MJ-00072-EPG****ADDITIONAL CONDITIONS OF RELEASE**

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the conditions marked below:

- ☒ (6) The defendant is placed in the custody of:

Name of person or organization Estela Garcia De Alvarez

who agrees (a) to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

SIGNED: 

CUSTODIAN

- ☒ (7) The defendant must:
- ☒ (a) report to and comply with the rules and regulations of the Pretrial Services Agency;
 - ☒ (b) report telephonically to the Pretrial Services Agency on the first working day following your release from custody;
 - ☒ (c) reside at a location approved by the pretrial services officer and not change your residence without prior approval of the pretrial services officer; travel restricted to Eastern District of California unless otherwise approved in advance by PSO;
 - ☒ (d) report any contact with law enforcement to your PSO within 24 hours;
 - ☒ (e) cooperate in the collection of a DNA sample;
 - ☒ (f) maintain or actively seek employment, and provide proof thereof to the PSO, upon request;
 - ☒ (g) not possess, have in your residence, or have access to a firearm/ammunition, destructive device, or other dangerous weapon; additionally, you must provide written proof of divestment of all firearms/ammunition, currently under your control;
 - ☒ (h) submit to drug and/or alcohol testing as approved by the Pretrial Services Officer. You must pay all or part of the costs of the testing services based upon your ability to pay, as determined by the Pretrial Services Officer;
 - ☒ (i) refrain from any use of alcohol, or any use of a narcotic drug or other controlled substance without a prescription by a licensed medical practitioner; and you must notify Pretrial Services immediately of any prescribed medication(s). However, medical marijuana, prescribed and/or recommended, may not be used;
 - ☒ (j) execute a bond or an agreement to forfeit upon failing to appear or failure to abide by any of the conditions of release, the following sum of money or designated property: A \$500 secured bond, posted by his mother, Estela Garcia De Alvarez;
 - ☒ (k) not apply for or obtain a passport or any other traveling documents during the pendency of this case;
 - ☒ (l) participate in a substance abuse treatment program at Turning Point of Central California, Inc., inpatient facility, and comply with all the rules and regulations of the program. You must remain at the inpatient facility until released by the pretrial services officer. A responsible party, approved by Pretrial Services, must escort you to all required court hearings and escort you back to the inpatient facility upon completion of the hearing;
 - ☒ (m) upon completion of the residential program, you must participate in a program of medical or psychiatric treatment, including treatment for drug or alcohol dependency, as approved by the pretrial services officer. You must pay all or parts of the costs of the counseling services based upon your ability to pay, as determined by the pretrial services officer; and,
 - ☒ (n) Upon completion of the residential program, you must participate in the Better Choices court program and comply with all the rules and regulations of the program. You must remain in the program until released by a pretrial services officer.

USMS SPECIAL INSTRUCTIONS:

- ☒ (n) have your release on bond delayed until Monday, July 19, 2021, at 7:00 a.m., at which time you will be released from the Fresno County Jail to a representative from the Federal Defender's Office and transported directly to the Turning Point of Central California, Inc. program.

ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (*i.e.*, in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of the Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.


Defendant's Signature

Directions to the United States Marshal

(☒) The defendant is ORDERED released after processing.

Date:

July 14, 2021


Judicial Officer's Signature

Elica P. Grosjean, U.S. Magistrate
Printed name and title
Judge

DISTRIBUTION: COURT DEFENDANT PRETRIAL SERVICE U.S. ATTORNEY U.S. MARSHAL